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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,504	09/10/2003	Minoru Hoshino	S004-5102	3600

7590 03/29/2004
ADAMS & WILKS
31st Floor
50 Broadway
New York, NY 10004

EXAMINER

WILLIAMS, KEVIN D

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,504

Applicant(s)

HOSHINO ET AL.

Examiner

Kevin D. Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/10/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagamoto (US 6,031,553).

Nagamoto teaches a printer comprising a printing means 11 for printing a printable face of a thermosensible adhering sheet constituted by forming a thermosensible adhesive layer on other face of a sheet-like base member having the printable face on one face thereof, carrying means 14 (opposite side of label 2 than printer 11) arranged to be opposed to the printing means for carrying the thermosensible adhering sheet in a predetermined direction, controlling means (inherent) for carrying out a control when the thermosensible adhering sheet is subjected to a printing processing and a thermally activating processing, wherein the carrying means comprises thermally activating means 14 for heating the thermosensible adhesive layer to thermally activate, and the controlling means subjects the thermosensible adhesive layer to the thermally activating processing by controlling the thermally activating means while subjecting the printable face to the printing processing by controlling the printing means (Fig. 1), the printing means is a thermal head 11

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constituted by arranging a plurality of heat generating elements which can individually be controlled to conduct electricity in a column-like shape.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagamoto in view of Ohya (US 2003/0160850).

Nagamoto teaches the claimed invention except for the carrying means comprising a shaft made of a metal having a hollow portion and a halogen lamp arranged at the hollow portion of the shaft, and the outer peripheral face of the carrying means being coated with a silicon species resin or a fluorine species resin.

Ohya teaches a carrying means (heated roll;[0183]) comprising a shaft made of a metal having a hollow portion and a halogen lamp arranged at the hollow portion of the shaft, and the outer peripheral face of the carrying means being coated with a silicon species resin or a fluorine species resin.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nagamoto to have the heated roll as taught by Ohya, in order to reduce friction when conveying the sheet since the roll rotates to convey the sheet.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagamoto in view of Uehara (US 2003/0068571).

Nagamoto teaches the claimed invention except for a temperature measuring sensor for measuring a surface temperature of the carrying means, where the controlling means controls the thermally activating means based on a measured result by the temperature measuring sensor.

Uehara teaches a temperature measuring sensor ([220]) for measuring a surface temperature of a carrying means, where the controlling means controls a thermally activating means based on a measured result by the temperature measuring sensor.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nagamoto to have a measuring sensor as taught by Uehara, in order to accurately control the thermal means.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagamoto in view of Kogure (US 4,745,431).

Nagamoto teaches the claimed invention except for the carrying means being attached to a main body frame via an insulating member.

Kogure teaches a carrying means being attached to a main body frame via an insulating member 9.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nagamoto to have the insulating members as taught by Kogure, in order to protect users that may touch the frame.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (571)

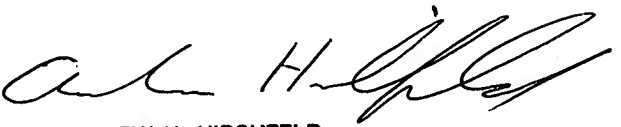
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272-2172. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KDW
March 22, 2004



ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800